

REMARKS

By this Amendment, claims 1, 4, 19 and 22 are amended to merely clarify the recited subject matter, new claims 37 and 38 are added to more fully claim the disclosed invention; claim 37 is patentable for at least the same reasons as independent claim 1 (explained herein) and claim 38 is patentable because it includes subject matter recited in allowable claim 7. Claims 1-38 are pending.

Applicant acknowledges the recognition that claims 7 and 25 include allowable subject matter, but delays rewriting those claims in independent format to afford the Office the opportunity to fully reconsider the rejections of the base claims.

Claims 1-2, 5-6, 8, 10-20, 23-24, 26, and 28-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Naslund (U.S. 6,223,031) in view of Vambaris (U.S. 5,930,707). Claims 9 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Naslund in view of Vambaris and Molinari et al. (U.S. 6,308,065; hereafter "Molinari") and claims 3-4 and 21-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Naslund, and Vambaris, in view of Rahman (U.S. 6,445,916). Applicant traverses the rejection because the cited prior art references, fail to teach or suggest all the features recited in the rejected claims.

ARGUMENTS FOR PATENTABILITY OF CLAIMS 1-37

For example, the cited prior art fails to teach or suggest a method for performing channel configuration of a base station in a cellular radio network, the method including "directing by a controller the base station to transmit a logical control channel on at least one physical channel allowed for the cellular radio network; [and] directing a fixed receiver box located in a cell associated with the base station but apart from the base station to receive at least one physical channel transmitted by the base station and to measure at least one channel parameter representing the properties of said at least one physical channel including said logical control channel," as recited in independent claim 1 and its dependent claims.

For example, the cited prior art fails to teach or suggest a network part of a cellular radio network, the network part including "a controller controlling the base station; and at least one fixed receiver box located in a cell associated with the base station but apart from the base station and which comprises means for receiving control commands from the controller, means for measuring at least one channel parameter representing the properties of at least one physical channel including said logical control channel transmitted by the base

station, and means for transmitting a measurement report on measurements performed by the receiver box to the controller, and the controller comprises means for directing the base station to transmit a logical control channel on at least one physical channel allowed for the cellular radio network, means for directing the fixed receiver box to receive at least one physical channel transmitted by the base station, means for selecting on the basis of at least one measurement report at least one physical channel enabling good range, and means for directing the base station to use at least one physical channel enabling good range," as recited in independent claim 19 and its dependent claims.

Naslund merely discloses a base station that includes a measuring receiver which can receive signals on all available uplink and downlink channels or a desired subset of the same (column 8, lines 46-49). That measuring receiver can be a wide-band receiver including channel filtering means so that a quality value is obtained for each channel (column 9, lines 8-13). The measuring receiver can also be a scanning receiver that scans the channels in a sweeping fashion (column 9, lines 15-16). With the process described in Naslund, it is possible to measure BCCH-carrier or speech channels (column 13, lines 19-23).

However, Naslund fails to teach or suggest a configuration or method in which a controller directs the base station to transmit a logical control channel on at least one physical channel allowed for the cellular radio network and a fixed receiver box located in a cell associated with the base station but apart from the base station is directed to receive at least one physical channel transmitted by the base station and to measure at least one channel parameter representing the properties of the at least one physical channel including the logical control channel. No where in Naslund is it taught or suggested that a controller directs the base station to transmit the logical control channel so that the fixed receiver measures the transmitted logical control channel.

Vambaris fails to remedy the deficiencies of Naslund because Vambaris merely discloses a radio access test unit that includes a test transceiver and test the operation of a cellular telephone access base transceiver station. The test transceiver is used to establish a radio link with the base station under test. The test unit communicates with an external test signal generator so that the test signal generator transmits a test signal to the test transceiver. The test unit includes monitoring means that check the reception of the test signal and generate an error signal when the test signal is not correctly received. Thus, the combined teachings of Naslund and Vambaris do not provide the claimed invention because the test unit

of Vambaris does not measure the properties of the physical channel including the logical control channel.

Molinari fails to remedy the deficiencies of Naslund and Vambaris because Molinari is merely directed to the particulars of varying power levels when transmitting on a physical channel.

Similarly, Rahman fails to remedy the deficiencies of Naslund, Vambaris and Molinari because Rahman merely discloses a downlink/uplink performance measurer that may be implemented in a subscriber/mobile station. Such a performance measurer may measure bit-error rate of service. For packet services, performance measurer may need timers, and the packets may be traced by subscriber identifiers, internet protocol addresses, etc. (see Figure 1, column 4, lines 35-50, and column 5, lines 35-48).

As a result, the prior art references, analyzed individually or in combination, fail to teach or suggest direction by a controller of a base station to transmit a logical control channel on at least one physical channel allowed for the cellular radio network and direction of a fixed receiver box located in a cell associated with the base station but apart from the base station to receive at least one physical channel transmitted by the base station and to measure at least one channel parameter representing the properties of the at least one physical channel including the logical control channel, as recited in all the pending claims.

Thus, claims 1-37 are allowable over the cited prior art.

**ADDITIONAL ARGUMENTS FOR PATENTABILITY
OF DEPENDENT CLAIMS 4 AND 22**

Moreover, the cited prior art, analyzed individually or in combination, fails to disclose, teach or suggest the claimed invention wherein the receiver box has its own IP address for receiving directions, as recited in dependent claims 4 and 22. As explained in paragraphs [0048] and [0053], the receiver box of the present invention has an IP address in order that a controller may direct the receiver box with the IP address.

The performance measurer of Rahman necessitates that there is a connection between the BTS and the performance measurer. However, in Rahman, the alleged IP address of the performance measurer is only used to receive test traffic, but not directions relating to testing

Naslund, Vambaris and Molinari, analyzed individually or in combination, fail to remedy this further deficiency of Rahman. As a result, the prior art references, analyzed individually or in combination, fail to teach or suggest wherein the receiver box has its own

IP address for receiving directions. Accordingly, the rejection of claims 4 and 22 is traversed for this additional reason.

**ADDITIONAL ARGUMENTS FOR PATENTABILITY
OF DEPENDENT CLAIMS 8 AND 26**

Moreover, the cited prior art, analyzed individually or in combination, fails to disclose, teach or suggest that the claimed receiver box is capable of receiving physical channels implemented in different ways, as recited in dependent claims 8 and 26. As explained in paragraph [0057] of the specification, the receiver box may be used to receive channels of different systems, GSM and UMTS, for example.

This is clearly not disclosed by Naslund. Although the wide-band scanning receiver of Naslund may be able to receive a wide frequency band as its "raw material", and this raw material could theoretically include channels implemented in different ways, the scanning receiver of Naslund does not include channel filtering means for different kinds of physical channels. Therefore, Naslund is able to recognize and measure physical channels implemented in one way only.

Vambaris, Molinari and Rahman, analyzed individually or in combination, fail to remedy this further deficiency of Naslund. As a result, the prior art references, analyzed individually or in combination, fail to teach or suggest wherein the receiver box comprises means for receiving physical channels implemented in different ways. Accordingly, the rejection of claims 8 and 26 is traversed for this additional reason.

CONCLUSION

All rejections and objections have been addressed. It is respectfully submitted that the present application is now in condition for allowance, and a notice to that effect is earnestly solicited. Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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